

03-01-02

RCE/160 + \$

PTO/SB/30 (10-01)

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REQUEST
FORCONTINUED EXAMINATION (RCE)
TRANSMITTALAddress to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/358,103
Filing Date	July 21, 1999
First Named Inventor	Alberto I. Roca
Art Unit	1652
Examiner Name	Christian L. Fronda
Attorney Docket Number	ROCA-01

#78
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3/6/02**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____

- i. ☐ RCE fee required under 37 CFR 1.17(e) 03/04/2002 AMT:3471 00000003 03350103
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:279 370.00 00
- iii. ☐ Other 02 FC:202 125.00 00
- 03 FC:202 243.00 00

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type) R. Perry McConnell

Registration No. (Attorney/Agent) 38,239

Signature

Date 02/28/2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type) R. Perry McConnell

Signature

Date 02/28/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:
Alberto I. Roca

Serial No.: 09/358,103

Filed: July 21, 1999

For: Mutants of MAW Motifs of RecA
Protein Homologs, Methods of
Making Them, and Their Uses

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Group Art Unit: 1652

Examiner: Christian L. Fronda

Atty. Docket: ROCA-01

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RESPONSE TO FIFTH OFFICE ACTION

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

Petition for Extension of Time to Respond to Office Action

Applicant respectfully petitions for an extension of time to February 28, 2002 to respond to the Fifth Office Action, and encloses the fee required by 37 C.F.R. §§ 1.136(a) and 1.17.

Request for Continued Examination

Pursuant to 37 C.F.R. § 1.114, Applicant requests continued examination of this Application and encloses the fee required by 37 C.F.R. §§ 1.114 and 1.17.

Amendments to the Claims

Applicant respectfully requests that the Examiner insert new claims 28 - 54, as follows:

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- 1 28. *A mutant*
[An *E. coli*] RecA protein having enhanced DNA binding activity compared to said protein's
E' 2 wildtype, wherein a naturally occurring amino acid residue located within said protein's